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SENATE MEMORIAL 10

**49TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2010**

INTRODUCED BY

Cisco McSorley

A MEMORIAL

REQUESTING THE GOVERNOR AND THE CORRECTIONS DEPARTMENT TO  
PURSUE IMPLEMENTATION OF THE RECOMMENDATIONS MADE IN THE 2008  
AND 2009 REPORTS OF THE GOVERNOR'S TASK FORCE ON PRISON REFORM  
THAT SUPPORT SUCCESSFUL REENTRY AND TRANSITION OF RELEASED  
INMATES INTO COMMUNITIES AND TO IDENTIFY WAYS TO ENHANCE  
PROBATION AND PAROLE OF INMATES WHERE APPROPRIATE.

WHEREAS, in the current fiscal crisis facing New Mexico,  
the cost of corrections is in competition for scarce resources  
with the cost of other vital state services such as education  
and medicaid; and

WHEREAS, many states are exploring the implementation of  
public safety measures that use corrections resources  
effectively, rely on community-based services to reduce  
recidivism of recently released inmates and expand graduated

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1 sanctions for probation and parole violations; and

2 WHEREAS, providing an array of evidence-based community  
3 corrections programming as a means of controlling the growth of  
4 prison populations is well within the reach of the corrections  
5 department; and

6 WHEREAS, recent national trends indicate that by allowing  
7 more flexibility in the process by which parole is revoked due  
8 to technical violations of parole, and by creation of a  
9 graduated range of sanctions with which to respond to parole  
10 violations, parole agencies have begun to reduce the number of  
11 violators who are returned to prison; and

12 WHEREAS, according to a 2007 report of the New Mexico  
13 sentencing commission in response to House Memorial 68,  
14 successful methods of reducing recidivism include drug courts,  
15 in-prison therapeutic communities, prison-based drug treatment  
16 programs, cognitive-behavioral treatment, intensive supervision  
17 and drug treatment in the community; and

18 WHEREAS, New Mexico has programs in place that could be  
19 expanded, including drug courts, nonresidential substance abuse  
20 treatment programs, cognitive-behavioral treatment for general  
21 offenders and treatment-oriented, intensive supervision; and

22 WHEREAS, in June 2008, Governor Richardson's task force on  
23 prison reform issued a report titled *Increasing Public Safety*  
24 *in New Mexico Before, During and After Incarceration: New*  
25 *Directions for Reform in New Mexico Corrections*; and

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1           WHEREAS, the report acknowledged that keeping paroled  
2 prisoners from returning to prison saves both the cost of  
3 reincarceration and secures a better future for the offender  
4 and the offender's family and friends; and

5           WHEREAS, inmates who, after release from prison, reoffend  
6 or violate terms of their parole and are returned to prison  
7 constitute a significant part of the state's prison population;  
8 and

9           WHEREAS, the report identified several ways to reduce  
10 prison populations and their concomitant costs by diverting  
11 low-risk, nonviolent offenders from prison into treatment and  
12 probation and reducing recidivism rates; and

13           WHEREAS, the task force recommendations in the report are  
14 general in nature, relying on the governor and the corrections  
15 department and other relevant state agencies and appropriate  
16 experts to develop the finer details and implementation plans;  
17 and

18           WHEREAS, in September 2009, Governor Richardson's task  
19 force on prison reform released a subsequent report titled  
20 *Increasing Local Involvement in New Mexico Prison Reform and*  
21 *Offender Reentry Initiatives: Key Elements in Enhanced Public*  
22 *Safety and Recidivism Reduction*; and

23           WHEREAS, the primary focus of this second report was how  
24 to increase involvement of local communities and agencies in  
25 order to fully accomplish the goals of successful reentry of

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1 prisoners into their communities; and

2 WHEREAS, this 2009 report credited the corrections  
3 department with initiating several of the recommendations  
4 contained in the 2008 report but identified additional specific  
5 approaches to increasing local involvement; and

6 WHEREAS, key among the additional approaches was a  
7 recommendation that local reentry councils be created in  
8 communities in the state to augment the role of the corrections  
9 department in all the crucial areas of reducing recidivism; and

10 WHEREAS, the recommendations in both the 2008 and 2009  
11 reports addressed the importance of providing an array of  
12 community-based mental health and substance abuse services and  
13 supervision, including increasing educational and employment  
14 training to help the former inmates complete their terms of  
15 community supervision without committing new offenses; and

16 WHEREAS, the task force recommended provisions of a  
17 continuum of graduated sanctions that would allow probation and  
18 parole officers to address technical violations with  
19 appropriate, cost-effective responses; and

20 WHEREAS, the reports also made recommendations regarding  
21 the need for organizational changes to facilitate the most  
22 efficient and effective use of public resources; and

23 WHEREAS, the reports made a total of thirty-seven  
24 recommendations, many of which can be implemented at very low  
25 cost to the state;

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